

Work Session  
April 24, 2006  
S-6100 South Park Avenue  
Hamburg, New York 14075

Supervisor Walters calls the meeting to order at 6:00 p.m.

Roll Call:	Steven J. Walters	Supervisor
	D. Mark Cavalcoli	Councilman
	Kathleen C. Hochul	Councilwoman
	Joan A. Kesner	Councilwoman
	Thomas Quatroche, Jr.	Councilman
Also Present:	Barbara S. Allen	Deputy Town Clerk
	Richard Boehm	Deputy Town Attorney
	James Spute	Finance Director
	Gerard Kapsiak	Town Engineer
	James Connolly	Highway Superintendent
	Christopher Hull	Director of Community Development

Supervisor Walters announces that Mr. Burke is here to present drawings in regards to a resolution that was tabled at the last meeting.

Brian Burke, EF Burke Company, introduces David E from Core Development and comments that he spent a lot of time trying to accommodate the Board's requests and come up with a suitable alternative to what had been presented in the past.

David hands out packets with the drawings stating that on the first page is a picture of the latest Tractor Supply prototype that opened in East Syracuse and is what they would like to build in Hamburg. What they are proposing for Hamburg differs in a number of ways. The East Syracuse photograph has a 15 ft. set back from the edge of the road and has an equipment and trailer display at 3,000 sq. ft. What they are proposing for Hamburg differs in a number of strategic ways. The average Tractor Supply site measures 3.76 acres. They will be utilizing six acres in Hamburg so that they can create more than the typical amount of greenspace. Also the side yard traditionally measures 25,000 sq ft and they have reduced the side yard to 22,050 feet. The trailer display out front traditionally sits 30 feet from the road and measures 3,000 sq. ft. they are proposing to move it back to at least 50 feet from the road and are proposing to reduce the display to 2,500 sq. ft. Another difference they are proposing is that the average Tractor Supply site has 8 trees and they will be putting in excess of 35 trees in the six acre parcel.. There will be a minimum of 15 trees along Route 20. The building vestibule on the prototype is flat, squared off and Tractor Supply has agreed to a gabled roof which makes it a little more upscale but still within the realm of their customer base. As far as building colors, the traditional is bright white with a red stripe but can be replaced with agreeable gray with the red stripe. When he was here in November there was concern about the chainlink fence. They are willing to install a black vinyl chainlink fence that has a masking affect on the product. Finally with regards to the signage, Tractor Supply usually has a freestanding sign but has agreed to be part of the business park sign. They tried to get as many of the concessions that Tractor Supply has made around the country and put them together to get the product that they think they are looking for in Hamburg. The difficulty with Tractor Supply is that they work very hard to keep their identity and brand as uniform as possible.

Councilwoman Hochul questions if any consideration has been given to a different block color. She has seen a block that is almost a brick color. There is an oil change that is on Route 20 and they were able to use this brick colored block at no extra cost. They are going for a more upscale appearance as they try to attract other businesses to the business park. She understands national standards and Walt-Mart was also telling them they had a national look and they are giving them something that looks like a country club. When the community works together with a business you can end up with a result that is beneficial to everyone. Maybe this could be their new prototype as they try and expand around the country and try and go a little more upscale.

David comments that he asked a number of questions with regards to some of the options he had. They have one other option which is to put the type if block she is describing four feet off the ground and then go with an integrated block to the roof line. The integrated block has sparkley stones integrated into the block and is a little duller white. He can e-mail her the color scheme.

Councilwoman Hochul comments that having the bottom half with the brick color and the top half white would be more acceptable to her. She can't understand why the entire building can't be that color but it would add a little more interest and take away from the big box affect.

David comments that it is only the first four feet. The building is 18 feet. Councilwoman Hochul questions why not nine or ten feet. David responds that it is four, he has been through it before.

Councilwoman Hochul asks if she can have their telephone number. They are very close, but this will be with them for a very long time and will set the standard along Route 20. The landscaping looks much better, what caliper are the trees that they will be putting in.

David responds that they will be 2 ½ inch caliper, six inches above grade at planting, thirty feet apart.

Councilwoman Hochul questions why they have to have tractor displays out front, this is undermining the aesthetically pleasing front.

David responds that Tractor Supply does not sell tractors. They traditionally have lawn trailers and lawn mowers. The CEO told developers at the October 2005 meeting that there are three things they had to make perfectly clear and are not negotiable, one is the side yard, two is the sidewalk display and three is the trailer display. When he met with the Planning Board in December Mr. Reilly suggested that they try and do something similar to what West Herr Ford did with the raised pedestal display. He took photographs and sent them to Nashville. The response was that the pedestal creates a problem in that the product moves and they have to have easy access to it and also the product doesn't have parking brakes. One thing he would like to offer is that in a number of stores he has been able to integrate the display into parking spaces in the front. This would take up 13 spaces and the employees would park in the other spaces.

Councilwoman Hochul responds that may be reasonable if they are put into parking spaces.

David responds that the only problem is that then he would be short parking spaces and that would require a variance from the ZBA.

Councilman Cavalcoli comments these are things that can be worked out during the process of review. If they just accept the FGEIS it still has to have findings and they should still have the opportunity to get this through the ZBA process if that is what the Board chooses.

David suggests that in some Towns they have what they call reserve parking where parking could be set aside somewhere else on the site.

Councilwoman Hochul comments that they should make it a condition that the parking spots be put into the plan and they have to stay with the plan and not encroach on the grass.

Councilman Cavalcoli comments that when he looks at the renderings from what they asked for, there is an increase in the number of trees, the set back and the greenspace and he would ask the Board to accept the FGEIS and then in the findings they can delineate specifically what they are looking for.

Councilwoman Hochul comments that she agrees with Councilman Cavalcoli in that she can see that they have made accommodations but she would like just a few more feet of color on the bottom. She would like to talk to someone about that because if they agreed to do half of the building then it is starting to look like what they have in mind for that area. Councilman Cavalcoli comments that this would go along with what Frontier High School did with their Education Center, what they did with the Elementary School and what Wal-Mart has agreed to do by putting in a Georgian look with red brick and columns right down the street.

Councilwoman Hochul comments that tonight they will only be approving the FGEIS and so if they are not satisfied they still have the opportunity to put the brakes on later but she would say that a lot of progress has been made and if they would be amenable to the change she is proposing and talked about this evening then she would support it.







**X.**

**WHEREAS**, the Town of Hamburg and the County of Erie have recently discussed options available to provide more efficient and effective sanitary sewer service to the residents of the Town at a reduced overall cost; and

**WHEREAS**, the Town and Erie County consider that the most efficient and effective means of providing sanitary sewer service to Town residents is to implement a phased merger of sewer services. The initial phase is proposed to include merging the following Town Sewer Districts into Erie County Sewer District No. 3:

- Sewer Districts 6, 7, 8 & 9 (Osborne/Sagamore and Extensions 1, 2 and 3)
- Sewer District 11 (Taylor Road)
- Sewer District 15 (East Frontier)
- Sewer District 16 (Steifler)
- Sewer District 17 (Salem Drive)
- Sewer District 20 (Linwood/Yoviene)
- Sewer District 22 (Allen/James)
- Sewer District 23 (Elmwood/Oakwood)
- Sewer District 24 (Beacon Hill)
- Sewer District 27 (Ravenwood North)
- Sewer District 28 (Highland Acres)

**WHEREAS**, to effectuate the merger, it is necessary that an extension to Erie County Sewer District No. 3 be formed, and the sanitary sewer assets of the above Town Sewer Districts be transferred to the County; and

**WHEREAS**, the Town Board of the Town of Hamburg desires to see Town residents realize more efficient and effective sanitary sewer service as soon as possible,

**THEREFORE BE IT RESOLVED**, that the Supervisor of the Town of Hamburg is authorized to petition Erie County, the Erie County Legislature, and the Board of Managers of Erie County Sewer District No. 3 to extend Erie County Sewer District No. 3 in order to provide County sanitary sewer services to the above Town Sewer Districts; and

**BE IT FURTHER RESOLVED**, that the Supervisor is authorized to immediately enter into negotiations with Erie County for an Intermunicipal Agreement for the transfer of said sewer assets upon the formation of an extension of Erie County Sewer District No. 3 to include these Town Sewer Districts; and

**BE IT FURTHER RESOLVED**, that the Supervisor is authorized to execute said Intermunicipal Agreement with Erie County, contingent upon satisfactory negotiations of the terms of the Agreement and approval as to form by the Town Attorney; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is requested to send certified copies of this resolution to Erie County Executive Joel A. Giambra; the Erie County Legislature; Andrew M. Eszak, Commissioner, Erie County Department of Environment and Planning; Erie County Sewer District No. 3; and Town of Hamburg Supervisor Steven J. Walters; and

**BE IT FURTHER RESOLVED**, that the Town Board, on behalf of the affected Town property owners, extends sincere appreciation to the County of Erie, Erie County Sewer District No. 3, and the Erie County Division of Sewerage Management for their cooperation, assistance, and consideration regarding this matter.

Moved: Cavalcoli

Seconded: Walters

Roll Call: Ayes: Walters, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

Councilman Cavalcoli comments that they have had extensive discussions on this and there are several steps involved in this. This is subject to a permissive referendum and all of the public will have the opportunity to express themselves in a vote if they are not satisfied with what they are doing. They have provided an avenue to bring down the cost for over 90% of the residents.

Tom Whetham, Erie County Department of Environmental Planning Division of Sewer Management, comments that they would be happy to conduct a public informational meeting in Hamburg if they like.

The Board responds that they would like that.

Tom Whetham then comments that procedurally the County Legislature has to call for a public hearing to consider the matter and that hearing is held downtown. After that public hearing is held the Legislature can move forward to approve the extension. Once that is approved it is subject to a 45 day permissive referendum period.

Councilman Cavalcoli questions when they should hold the public informational meeting in Hamburg, should it be before the public hearing.

Mr. Whetham comments that it probably should be. It will take some time so they should schedule the informational meeting soon.

Councilman Cavalcoli comments that he should work with Mr. Kapsiak and himself to work a schedule that would be timely and best for everyone involved.

Councilwoman Kesner questions how they will notify all the residents in these districts.

Mr. Whetham comments that they typically send a post card to everyone who is affected, the listed property owners, notifying them of when the public hearing will be held. Councilwoman Hochul questions if they could use the same post card to give our information as well as the County public hearing. Mr. Whetham responds that they could.

Councilwoman Kesner comments that she doesn't want this to be a surprise for anybody, if there is an increase she wants them to have the opportunity to see why they feel it is a good program and how it will save them money in the future.

Supervisor Walters comments that there are ancillary savings over and above the sewer rate that will not be reflected in the report such as expenses that the Town incurs that they will be able to start phasing out.

Mr. Kapsiak wants to add that based on the average savings and average increases that were presented at the last meeting, it results in an overall savings of \$91,000 Townwide.

## **XI.**

**RESOLVED**, that the Town Board authorize the Recreation Department to appoint the following to the Town of Hamburg Recreation Advisory Board:

James Gleason  
3463 Parkwood Common  
Hamburg, N.Y. 14075  
Term to expire 12/31/2007

Pamela Kaznowski  
S-3708 Saxony Place  
Blasdell, N.Y. 14219  
Term to expire 12/31/2006

John McFall  
185 Pleasant Ave.  
Hamburg, N.Y. 14075  
Term to expire 12/31/2006

Moved: Hochul

Seconded: Walters

Roll Call: Ayes: Walters, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

## **XII.**

**WHEREAS**, On March 13, 2006, the Hamburg Town Board authorized the Department of

Community Development to advertise a “Request for Proposals” for Village of Hamburg Water Line Replacement; Engineering Services, and

**WHEREAS**, the Request for Proposals were opened on Wednesday, April 19, 2006 at 11:00 a.m. and subsequently reviewed by the Department of Community Development in conjunction with the Village of Hamburg Department of Public Works, and

**WHEREAS**, after review of the submitted proposals, interviews were held with the four (4) firms who submitted proposals to further substantiate the selection process and to request “best and final offers”, and

**WHEREAS**, the following firms responded to the RFP and were subsequently interviewed by the Department of Community Development and the Village of Hamburg Department of Public Works:

<b><u>Firm:</u></b>	<b><u>Full Design + 2006</u></b>	<b><u>+ 2007-2010 Min./Max.</u></b>
Donald Gallo; Consulting Engineer:	\$68,300 +	\$10,800/\$16,200 + Printing
Marquis Engineering:	\$61,900 +	\$7,900/\$11,310 + Inspection/OT
Nussbaumer & Clarke, Inc.	\$67,000 +	\$10,370/\$15,450
William Shutt & Associates:	\$71,500 +	\$50,680/\$56,520

**NOW THEREFORE BE IT RESOLVED** that based upon the review process, including the interviews, the Hamburg Town Board authorize the Department of Community Development to accept the proposal of and enter into a contract with “Nussbaumer & Clarke, Inc.” to provide engineering services for the Village of Hamburg Water Line Replacement Project. Funding is available in CD 31 8662.354.

Moved: Kesner

Seconded: Hochul

Roll Call: Ayes: Walters, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

Christopher Hull, Director of Community Development, comments that this is different than what they normally do. They usually do Engineering and then a project, then Engineering and a project, but with dwindling Block Grant Funds he decided to try and do the 4 or 5 year Engineering for the targeted area that the Village is proposing for their waterlines this year. That is why the prices seem higher. This is the design of the entire project. Councilman Quatroche questions why he chose Nussbaumer & Clarke over Marquis. Mr. Hull responds that they used Marquis the last two times and they had no problem technically but administratively when it comes to Block Grant requirements it was really hard to get them to follow through and it became a problem.



Recreation Department as follows:

1. Nelson, Brett	B7310(320)	04/16/2006	Terminate
2. Schmitt, Christine	“	”	Terminate
3. Schmitt, Christopher	“	”	Terminate
4. Schmitt, Rebecca Lee	“	”	Terminate
5. Sigeti, Andrew	“	”	Terminate
6. Thirty, Donald	“	”	Terminate
7. Vitrano, Deanne	“	”	Terminate
8. Zelasko, Shawn	“	”	Terminate
9. McAnaney, Patrick	B7310(320) Rec. Attendant	04/17/2006	\$9.50 P/T
10. McFeely, Maria	ER7251(225) Rec. Attendant	04/17/2006	\$6.95 P/T
11. Benzinger, Joseph	A7265(230)	04/16/2006	Terminate
12. Benzinger, Joseph	A7265(230) Rec. Attendant	04/17/2006	\$6.75 P/T
13. Taylor, Patrick	A7265(230)	04/16/2006	Terminate
14. Zdrojewski, Thomas	“	”	Terminate
15. Wilk, Peter	A7270(238) Rec. Attendant	05/08/2006	\$7.25 Seasonal P/T
16. Bushen, Amy	B7310(320)	04/16/2006	Terminate
17. Cavaretta, Peter	“	”	Terminate
18. Cross, Catherine	“	”	Terminate
19. Drew, Adam	“	”	Terminate
20. Garcia, Alicia	“	”	Terminate
21. Aronica, Michael	“	”	Terminate
22. McDonnel, Mary	“	”	Terminate
23. McDonnel, Pamela	“	”	Terminate
24. O’Connell, Keely	“	”	Terminate
25. Bebak, Marilou	B7310(320)	04/17/2006	\$10.04 Seasonal P/T
26. Gallardo, Nicholas	“	04/16/2006	Terminate
27. Gallardo, Nicholas	B7310(320) Rec. Attendant	04/17/1006	\$9.27 Seasonal P/T
28. Kull, Joseph	B7310(312)	04/16/2006	Terminate
29. Kull, Joseph	B7310(312)	04/17/2006	\$7.72 P/T
30. Duggan, Kathleen	A7180(215)	04/15/2006	Terminate
31. Duggan, Kathleen	A7180(215)	04/17/2006	\$10.04 P/T
32. Anzalone, Anthony	A7265(230)	04/16/2006	Terminate
33. Augustiniak, Nick	“	”	Terminate
34. Cefaly, Justin	“	”	Terminate
35. DeVinney, Matthew	“	”	Terminate
36. Reynolds, Brigit	“	”	Terminate
37. Kurht, Timothy	B7310(320)	04/16/2006	Terminate
38. Kurht, Timothy	B7310(320) Rec. Attendant	04/17/2006	\$9.78 P/T
39. Bushen, Kelly	B7310(320) Rec. Attendant	04/20/2006	\$6.75 Seasonal P/T
40. Cheslak, Joseph	A7270(238)	04/24/2006	\$6.75 Seasonal P/T

Moved: Hochul

Seconded: Quatroche

Roll Call: Ayes: Walters, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

**XVII.**

**RESOLVED**, that the Town Board approve the hiring and termination of personnel for the Senior Services Department as follows:



OPERATING FUND:

BATCH #61	\$1,770,000.00	10826 - 10828
BATCH #62	\$ 75,647.60	10830 - 10949
BATCH #63	\$ 14,982.50	10950
BATCH #64	\$ 314,427.03	10951 - 10999
BATCH #65	\$ 196,680.64	UNPROCESSED
PRTRN #P/R 8	\$ 502,778.22	

TOTAL OPERATING FUND DISBURSEMENTS: \$2,874,515.99

TRUST & AGENCY:

BATCH #17	\$ 214,058.74
BATCH #18	\$ 11,984.25
BATCH #19	\$ 493,964.20

TOTAL TRUST & AGENCY DISBURSEMENTS: \$ 720,007.19

CAPITAL FUND DISBURSEMENTS:

BATCH #21	\$ 19,227.00	10825
BATCH #22	\$ 25,416.00	10829
BATCH #23	\$ 4,346.46	11000 - 11001

TOTAL CAPITAL FUND DISBURSEMENTS: \$ 48,989.46

PAYROLL:

PR # P/R 8	\$ 467,635.41
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TOTAL PAYROLL DISBURSEMENTS: \$ 467,635.41

PETTY CASH: \$ 142.15

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$4,111,290.20

Moved: Walters Cavalcoli  
Roll Call: Ayes: Walters, Cavalcoli, Hochul, Kesner, Quatroche  
Noes: None  
Carried

**XX.**

**RESOLVED**, that the Town Board adjourn to Executive Session on a Legal Matter with Mr. Boehm and a Personnel matter with Mr. Connolly.

Moved: Walters Seconded: Kesner  
Roll Call: Ayes: Walters, Cavalcoli, Hochul, Kesner, Quatroche  
Noes: None  
Carried

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Catherine Rybczynski, Town Clerk